



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**UNITED STATES ARMY INTELLIGENCE CENTER AND FORT HUACHUCA**  
**FORT HUACHUCA, ARIZONA 85613-6000**

ATZS-CG (27-40)

14 February 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: POLICY 114 -- State Judicial Court Orders

1. References:

- a. AR 27-40, Litigation, 19 Sep 94.
- b. AR 500-51, Support to Civilian Law Enforcement, 1 Jul 83.

2. Generally, it is in the best interest of the Government to give full faith and credit, whenever possible, to State judicial court orders issued by Arizona judges concerning soldiers, civilians and family members working or living on Fort Huachuca.

3. Fort Huachuca is an exclusive Federal jurisdiction installation, and under normal circumstances, orders issued by State judges are not enforceable within the Federal enclave. Notwithstanding, my policy is that commanders and the Provost Marshal cooperate with State judicial and police authorities in their enforcement of civilian court orders, provided they do not interfere with the unit's military mission. Cooperation will be consistent with AR 500-51, Support to Civilian Law Enforcement, statutory restrictions and the guidance below.

4. The Office of the Staff Judge Advocate will review, prior to service, all State judicial orders and provide advice to commanders to ensure that such orders are in compliance with applicable law and regulation and will not interfere with the mission of the units or this installation. For Army records covered by the Privacy Act, a Subpoena Duces Tecum will not be honored unless signed by a judge of a court of competent jurisdiction, in accordance with AR 27-40, Litigation. As the Installation Commander, I reserve the right to not cooperate in the enforcement of any State judicial order that does not meet the appropriate criteria.

5. Once approved by the Office of the Staff Judge Advocate, the Provost Marshal may escort the process server to the quarters or work place of the person in question. The Provost Marshal will make blotter entries of alleged violations of judicial orders on the installation and refer these matters to the appropriate commander and the Staff Judge Advocate. State judicial or police authorities may only enforce judicial orders on post after coordination with the Office of the Staff Judge Advocate and the Provost Marshal.

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6. This memorandum supersedes US Army Intelligence Center and Fort Huachuca memorandum ATZS-CG, 26 Feb 2001, subject: POLICY 01-17 – State Judicial Court Orders.

7. The proponent of this subject is the Office of the Staff Judge Advocate. Questions may be directed to Mr. M. Douthit at 533-5313.

///original signed///

JAMES A. MARKS

Brigadier General, USA

Commanding

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SUBJECT: POLICY 114 -- State Judicial Court Orders

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